

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	4:05CR3033
v.)	
)	
DAVID R. BLYTHE,)	
)	MEMORANDUM AND ORDER
Defendant.)	
_____)	

Counsel and the court convened by telephone conference call on this date pursuant to Fed. R. Civ. P. 17.1 for the purpose of reviewing the progress made to date in producing the voluminous record and exhibits involved in this case. It was learned that although the computer hard drive storing the documents has been produced, some computer "glitches" have prevented defense counsel from reviewing all the documents. However, it was anticipated that the problems could be resolved within the near future to enable complete viewing of the documents by defense counsel. In addition, the court reporter transcribing the trial record from the related trial in Washington has been ordered to have it completed by October 1, 2005. It thus appears that the production of discovery may be nearing completion, and after defendant's counsel has had an opportunity to initially examine the records, it may be possible to schedule the filing and hearing of motions in the case.

IT THEREFORE HEREBY IS ORDERED,

Another telephone conference shall be held with the court on October 28, 2005 at 2:00 p.m. to discuss the status of the review of the records, documents and transcript; to schedule the filing, and if possible, the hearing of motions; and to address what counsel have identified as blocks to the parties' ability to

seriously explore and negotiate a resolution of the case.
Plaintiff's counsel shall place the call.

DATED this 29th day of September, 2005.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge